

On the flip side, President Obama appointed 320 judges, and President Biden now has the opportunity to fill more than 80 vacancies. Under this Democratic majority, the Senate will swiftly and consistently confirm President Biden's appointments to the Federal bench, bringing balance, experience, and diversity back to the judiciary. Mr. Neals and Ms. Rodriguez are two great examples, along with Ms. Brown Jackson.

In the same vein, today, I also announced two judicial recommendations to President Biden: Myrna Perez, the director of voting rights at the Brennan Center for Justice, to serve on the prestigious Second Circuit Court of Appeals, and Dale Ho, the leader of the voting rights project at the ACLU, to serve on the Southern District of New York. Ms. Perez and Mr. Ho are two of the foremost voting rights and election experts in the country. With a national focus on voting rights right now, their elevation is timely, and their perspectives will be invaluable. Ms. Perez would also be the first Latina to serve on the Second Circuit Court since now-Justice Sonia Sotomayor.

Diversity on the Federal bench is very important to me, both demographic diversity and diversity of experience. The courts have long been packed with former prosecutors and corporate lawyers. It is about time that civil rights attorneys, voting rights attorneys, and Federal defenders start getting the nod. My recommendations of Ms. Perez and Mr. Ho are part of that effort.

Last month, I also recommended Eunice Lee, an appellate attorney with the Federal Defenders of New York, to serve as a judge on the Second Circuit. Lee could become just the second Black woman to sit on this prestigious appeals court, a court that has never—never—had a former Federal defender on its roster.

Just like Ms. Perez and Mr. Ho, Eunice Lee will bring demographic and professional diversity to the Federal bench. The three of them, in tandem, will bring dynamism, brilliance, and a real diversity of experience to courts in New York.

As a Senator from New York and as majority leader, I am intent on restoring balance to a judiciary that has been thrown out of whack by 4 years of President Trump's selections.

#### PAYCHECK FAIRNESS

Mr. SCHUMER. Madam President, finally, on paycheck fairness, tomorrow, the Senate will decide whether to take up legislation to address the gender pay gap.

Right now in America, women earn, roughly, 82 cents for every dollar a man makes. The gap is even wider for women of color. Even when you account for educational attainment, Black and Latina women earn only 65 to 70 percent of what a White man makes with the same degree, whether

it is a bachelor's degree or an advanced degree. Many women with advanced degrees actually make less than their male counterparts who don't have them. So, looking at the facts, women with the same jobs, the same degrees—sometimes better degrees than their male colleagues—are making less money. That is the very definition of gender discrimination, and it is holding back women in every industry and area of the country.

The pandemic has only made matters worse. Faced with impossible choices between careers and childcare, women have fallen out of the workforce at an alarming rate. By one measure, the COVID-19 pandemic has set women's labor force participation back by more than 30 years, leading some economists to describe the 2020 year not as a recession but as a "she-cession."

So there is a lot of work to do to not only recover from a devastating year for women in the workplace but also establish an equal playing field where women are paid what they deserve.

Senate Democrats have put forward a bill that would make it much easier for women to petition for pay equity. It doesn't mandate that employers set wages at a certain level. It doesn't have the government reach into the private sector. It merely makes it easier for women to overcome pay discrimination.

In my view, this straightforward, unobjectionable piece of legislation should merit bipartisan support and should not require changes. All 50 Democratic Senators are cosponsors of the bill—all 50. Will our Republican colleagues step up to the plate and join us tomorrow to advance this common-sense legislation?

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### ECONOMIC RECOVERY

Mr. MCCONNELL. Madam President, on Friday, the U.S. job market got another monthly checkup. Hiring in May was up from the previous month but still fell short of the level experts and American employers had hoped for.

Of course, the highest expectations for our economic recovery under Democratic control were set by none other than the Democrats themselves.

Back in February, the Biden administration pointed to projections that its

so-called American Rescue Plan would boost job creation in 2021 by 4 million over existing expectations. Meeting that new higher goal meant the economy would have to grow by over 900,000 new jobs a month. Needless to say, the job market is nowhere close—nowhere close—to meeting this target. In fact, hiring is falling short of where nonpartisan experts forecasted it would be even if—even if—Democrats hadn't rammed through a multitrillion-dollar liberal wish list this spring.

I have been clear on the dangers of that bill from the beginning, and the data is now spelling it out very clearly. Democrats' bloated additions to unemployment insurance haven't just failed to help our recovery, they have actually hurt it, and the consequences on Main Street are now in full focus.

As hiring lags, employers are struggling to entice workers to rejoin and keep their facilities staffed. After a year that already tested budgets to the breaking point, small business owners are having to dig even deeper to attract staff, offering bigger bonuses and flexible hours. But even that hasn't been enough. For the fourth straight month, one survey of small businesses came back with record-high reports of unfilled job openings. As one small business owner in London, KY, reported to me, "The current labor shortage is by far the worst" he has ever seen. In fact, his short staff has had such a hard time keeping up with orders that "customers are already considering moving business from this facility to other states."

Unfortunately, this situation isn't unique. As I traveled the State last week, I heard the same story from employers of all sizes. Kentucky's labor force is still 90,000 workers below prepandemic levels. Nationwide, workforce participation has remained stagnant for nearly a year. All the while, prices for consumers are continuing to creep up.

This is exactly what Republicans and nonpartisan experts had warned against months ago. We urged Democrats not to force our country's promising early recovery into a permanent defensive crouch. Now, as States and business owners grapple with the consequences, I hope Democrats in Washington are paying attention and learning from this costly mistake.

#### SENATE AGENDA

Mr. MCCONNELL. Now, Madam President, on another matter, after a week of work with our constituents, the Senate reconvenes with a chance to refocus on the most important issues facing our folks back home.

Already on multiple occasions this year, we have demonstrated that even a narrowly divided Chamber is capable of taking productive, bipartisan steps on serious issues. Wide majorities have come together to extend access to the critical PPP loans, invest in drinking water infrastructure, and equip the justice system to better combat hate

crimes against Asian Americans. This week, the Senate is set to do the same on legislation regarding competition with China, and many of our colleagues are working hard to make further consensus possible on issues that have historically enjoyed bipartisan support, like transportation infrastructure.

Remember, this sort of collaboration on serious priorities is what the American people insisted upon just last November. They elected a 50–50 Senate, shrunk Democrats' majority in the House, and took President Biden up on a promise to unite the country. So the question at the outset of this work period is how Democrats will use their razor-thin majority over the next few weeks. Unfortunately, the Democratic leader already signaled his answer a week ago by laying out a June agenda that is transparently designed to fail.

As I understand it, Senate Democrats intend to focus this month on the demands of their radical base: exploiting the cause of pay fairness to send a windfall to trial lawyers; saddling hospitals, schools, and small businesses with crippling new legal burdens if they fail to keep pace with “woke” social norms; and opening an unprecedented new front in the left's war on the Second Amendment.

As written, these are not proposals aimed at earning bipartisan support. They are not designed to clear the Senate's necessarily high bar for ending debate. Bizarrely, it appears they are being floated in order to illustrate that the bar is too high.

After a spring in which the Senate has repeatedly passed mainstream legislation by wide margins, Democrats have decided that now—now is the time to argue that the legislative process is somehow broken.

Let's not forget the Democrats' poster child for why the Senate should change its rules is a bill that would forcibly change the rules for elections in every State in America.

Let me say that again. Democrats' poster child for why the Senate should change its rules is a bill that would forcibly change the rules for elections in every State in America.

Their marquee bill, S. 1, is such a brazen political power grab that the question isn't whether it could earn bipartisan support; the question is how wide the bipartisan opposition will be. This is the bill the Democratic leader has placed at the vanguard of his campaign to destroy the filibuster, even though multiple Members of his own majority are now on the record objecting to it.

So make no mistake: Failing to sell reckless, wholesale changes to our democracy isn't proof that the guardrails should be removed; it is a reminder that they are there for a reason.

The American people rightly expect a 50–50 Senate to spend its time finding common ground, but our Democratic colleagues seem to believe that the most important expectations are those of their far-left fringe. They put for-

ward an agenda that is designed to fail, and fail it will.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Julien Xavier Neals, of New Jersey, to be United States District Judge for the District of New Jersey.

The ACTING PRESIDENT pro tempore. The Democratic whip.

##### ELECTION PROTESTS

Mr. DURBIN. Madam President, imagine this: In one of the great nations of the world, there is a controversy over transition of power, the peaceful transfer of power. And in this country, those who are about to lose power are concerned—so concerned that their backers are turning to the streets. They plan on demonstrations against the supposed new leadership in their country, and people fear violence.

It was against this background that Nadav Argaman, the director of Shin Bet, Israel's internal security service, made a rare public intervention on Saturday night, warning of discourse that is “liable to be interpreted by certain groups or by individuals as one that permits violent and illegal activity that is liable, heaven forbid, to reach mortal injury.” Without mentioning any politicians directly, Mr. Argaman added, “It is our duty to come out with a clear and decisive call to stop immediately the inciting and violent discourse. The responsibility for calming spirits and reining in the discourse rests on all of our shoulders.”

I bring this matter to the floor of the Senate because it parallels what we endured and experienced just a few months ago. I am sure you remember it well, Madam President. I do. The election last November, which was won by Joseph Biden over Donald Trump, the incumbent President, by some 7 million votes—one of the largest turnouts, if not the largest turnout, in the history of the United States. It was a decisive electoral college victory in the same margin that Trump had triumphed over Hillary Clinton just a few years before. Yet, because of the Big Lie and the denial by Donald Trump,

he inspired his followers to come to Washington, DC, and participate in a rally to protest, and not to come just any day but to come on January 6, 2021, of this year because that is when the electoral college votes would be counted.

We know what followed. We know that mob was turned loose in the streets of Washington and turned loose on the Capitol Building, and those who were here that day will never forget it. I can recall the Vice President of the United States being pulled from that chair you are sitting in, Madam President. He was taken out that door. It was about 2:15 in the afternoon. Then a member of the Capitol Police stood before us and warned us: Stay in your seats. This will be a safe place to be. We are going to gather all the staff around the walls here. Just sit tight.

Ten minutes later, he came back and said: Change of plans. The mob is advancing on this Chamber as we speak. Leave immediately.

Everyone picked up as fast as they could and left.

It was a scene that seemed so unrealistic, you wouldn't imagine it could happen in the Capitol of the United States of America. But the insurrectionist mob inspired by President Donald Trump was here for business. They were here to stop the ordinary course of business in the Senate and the House, which would announce at the end of the day the selection of Joseph Biden as our new President.

Now a parallel is taking place in Israel, and a new coalition to replace Benjamin Netanyahu is being contested by those who are going to march in the streets. The Israeli leaders—at least those in the security services—are begging people not to do it.

I put that in context to think that that idea in the United States somehow has taken root in Israel. I pray that nothing happens. I want nothing to happen there. But we should be forewarned to take this seriously. There are forces at work in the United States and Israel and other countries to stop the orderly transfer of power in a democratic nation. We ought to take that seriously. We ought to take it so seriously that we appoint a bipartisan Commission to investigate what happened here on January 6, 2021.

Just a few weeks ago, Republican Members of the House of Representatives were dismissing the January 6th events, the mob action here in the Capitol, and saying that they were somehow “orderly tourists.” That is what one of the Congressmen said, a Congressman from Georgia, a Republican. Those were “orderly tourists.” Look at those videos and imagine under any circumstance that you would describe them as “orderly tourists.” They weren't orderly tourists when you see five people losing their lives as a result of their actions and 140 of our law enforcement officials being personally attacked, many of them still bearing the scars of that day.